

Government Oversight Committee
Questions Regarding the Freedom of Access Act

1. How to remove barriers encountered by persons submitting a FOAA request and/or ensure agencies are not purposely putting up barriers?

Barriers mentioned include:

- FOAA response/documents not provided in timely manner such that their usefulness is diminished.
- The cost agencies charge to provide requested documents.

2. How to ensure that agencies are as responsive as possible to FOAA requests in providing the requested information in a timely manner?
3. How to hold agencies, or agency representatives, more accountable for not complying with the FOAA?

Related Questions

- Should the authorities and role of the Public Records Ombudsman in the Attorney General's Office be expanded to include tracking of FOAA requests received in State agencies, follow up on FOAA requests that have been submitted to ensure agencies have responded appropriately and timely and initiating enforcement actions or penalties against agencies that are not complying?
- Is there sufficient training of all employees and managers on requirements and obligations under FOAA? Is there, or should there be, written acknowledgement from employees and managers that they have received training? Does the FOAA law require that training is conducted and, if not, should it? Who should be responsible for ensuring training? How often should training occur?
- Is there a need for the Public Records Ombudsman to have access to forensic information technology expertise on staff to retrieve information that may be electronically stored or otherwise accessible?
- Do there need to be updated or additional penalties in FOAA for intentional and knowing violations of the Act and also to address those situations where there is resistance to compliance with the law, but where intentional and knowing violations cannot actually be proven?
- Are there any other enhancements needed to the Act to clarify expectations of agencies and/or address known issues in ensuring appropriate and timely agency response to FOAA requests?